

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Michael P. BELMARES *et al.*

Serial No.: 10/553,028

Filed: October 11, 2005

For: MODULATION OF MUC1 MEDIATED  
SIGNAL TRANSDUCTION

Group Art Unit: 1654

Examiner: Satyanarayan R. Gudibande

Atty. Dkt. No.: ARBV:003US

Confirmation No.: 9113

CERTIFICATE OF ELECTRONIC TRANSMISSION  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being  
electronically filed with the United States Patent and  
Trademark Office via EFS Web, on the date below.

May 3, 2010  
Date

Mark H. Voges

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

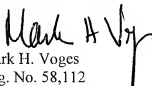
In response to the Notification of Defective Response, dated April 2, 2010, for which a response is being submitted on the first business day following the deadline of May 2, 2010, enclosed herewith are:

- (a) A substitute Sequence Listing in .txt format;
- (b) A Preliminary Amendment; and
- (c) A copy of the Notification of Defective Response.

In regards to the requirements set forth in the Sequence Problem Attachment From Examiner, as posted on PAIR on March 3, 2010, which states "Claims 3, 6, 12, 21, 29 and 40 contains peptide formula that requires a SEQ ID NO.", Mrs. Sandra Bass of Fulbright & Jaworski, LLP, who prepares sequence listings for submission to the United States Patent Office, spoke with Examiner Christopher Low of the United States Patent Office and Examiner Low indicated that any "X<sup>1</sup>-aa<sup>2</sup>-aa<sup>1</sup>-aa<sup>0</sup>" referenced in the specification, which includes the listing of claims, of the present application are formulas and not sequences, and therefore no sequence identification numbers are needed.

It is believed that no fee is due with this communication, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/ARBV:003US.

Respectfully submitted,



Mark H. Voges  
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Date: May 3, 2010



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO 10/553,028	FIRST NAMED APPLICANT Michael P. Belmares	ATTY. DOCKET NO. ARBV-003US/10603468
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INTERNATIONAL APPLICATION NO. PCT/US04/11195	
I.A. FILING DATE 04/12/2004	PRIORITY DATE 04/11/2003

CONFIRMATION NO. 9113  
371 FORMALITIES LETTER



Date Mailed: 04/02/2010

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 10/11/2005
- Copy of the International Search Report filed on 10/11/2005
- Preliminary Amendments filed on 10/11/2005
- Biochemical Sequence Diskette filed on 10/11/2005
- Oath or Declaration filed on 04/26/2007
- Biochemical Sequence Listing filed on 10/11/2005
- U.S. Basic National Fees filed on 10/11/2005
- Priority Documents filed on 10/11/2005
- Power of Attorney filed on 12/19/2005
- Specification filed on 10/11/2005
- Claims filed on 10/11/2005
- Drawings filed on 10/11/2005
- Paper nucleotide sequence listings filed on 10/11/2005

Applicant's response filed 03/03/2010 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/27/2007 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Refer to attachment or PAIR document dated 3/3/10.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FRANCINE YOUNG

Telephone: (703) 756-1462

Comment Sheet

**APPLICATION SERIAL NUMBER**

**10553028**

**DOES NOT COMPLY WITH THE  
SEQUENCE RULES. See reasons below.**

**Claims 3, 6, 13, 21, 29 and 40 contains  
peptide formula that requires a SEQ ID  
NO.**

**Specification on pages 4 (lines 7, 10, 12);  
page 18 (line 26); page 20 (line 17); page 21  
(line 21-27); page 30 (line 6-9); page 20 (line  
17); pages 36-50, contains peptides without  
SEQ ID NOs, and pages 54-59 contains  
nucleic acid sequences without SEQ ID  
NOs., and elsewhere in the specification.**